

REMARKS

Claims 1-14 are pending in the application.

Applicants have amended Table 1 on page 18 of the specification to recite “Comparative Example 1” instead of “Comparative Example 3,” thereby correcting the typographical error.

Claim 1 is objected because of informalities, such as, the word “by” in line 3 of claim 1.

Applicants have deleted the word “by” from claim 1. Applicants have also deleted the parenthetical notation from claim 1. Accordingly, Applicants respectfully request that the Examiner reconsider and withdraw the objection.

Claims 1-14 have been rejected under 35 U.S.C. § 112, second paragraph, as allegedly being indefinite.

The Examiner asserts that the recitation “a structural unit of the following formula (ii)” in claim 1 lacks antecedent basis.

Claim 1 recites “a structural unit of the following formula (II)” not formula (ii) as the Examiner contends. Therefore, the recitation “formula (II)” does not lack antecedent basis.

The Examiner asserts that claim 1 includes a parenthetical expression that renders the claim indefinite.

Applicants have deleted the parenthesis (but not the text) in claim 1.

In view of the foregoing, Applicants respectfully request that the Examiner reconsider and withdraw the rejection.

Claims 1, 2, 5, and 9-14 have been rejected under 35 U.S.C. § 102(e) as allegedly being anticipated by Okamoto et al., U.S. Patent No. 6,797,345 (“Okamoto”).

To be an “anticipation” rejection under §102, the reference must teach every element of Applicants’ claims. The reference must clearly and unequivocally disclose the claimed composition or direct those skilled in the art to the compound without any need for picking or choosing.

Okamoto teaches liquid-crystalline polyesters having repeating structural units derived from aromatic dicarboxylic acids, aromatic diols and aromatic hydroxycarboxylic acids. Okamoto also discloses examples of the repeating structural units, which are not limited to, as shown in column 2, line 54 to column 5, line 10 of Okamoto. The exemplified repeating structural units include A₁ (which is Applicants’ formula (I)), C₁ and C₃ (which are some of the units recited in claim 1 as Applicants’ formula (II)) and B₃ (which is one of the units recited in claim 1 of Applicants’ formula (III)). However, Okamoto does not disclose a liquid-crystalline polyester formed from a combination of A₁, C₁ (or C₃) and B₃. Further, Okamoto does not direct one of skill in the art to such a liquid-crystalline polyester without any need for picking or choosing. Therefore, claims 1, 2, 5 and 9-14 are not anticipated by Okamoto.

In view of the foregoing, Applicants respectfully request that the Examiner reconsider and withdraw the rejection.

Claims 3, 4 and 6-8 have been rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Okamoto.

Okamoto only qualifies as prior art under § 102(e). Accordingly, under 35 U.S.C. § 103(c), subject matter developed by another person, which qualifies as prior art only under subsections (e), (f), and (g) of section 102 shall not preclude patentability under section 103 where the prior art subject matter and the claimed invention were at the time the invention was made, subject to an obligation of assignment to the same person.

Applicants submit that Okamoto and the present application, were, at the time the invention of the present application was made, owned by Sumitomo Chemical Company, Limited. Accordingly, Applicants submit that the present invention would not be anticipated or obvious over Okamoto.

In view of the foregoing, Applicants respectfully request that the Examiner reconsider and withdraw the rejection.

Claims 1-14 have been rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-4 and 7 of Okamoto.

Applicants respectfully traverse the rejection based on the following.

The liquid-crystalline polyester film of the claimed invention has a small liner expansion coefficient, which results in less delamination, i.e., less peeling off of the film from a substrate when used in a laminated article comprising the film and the substrate. The results of Examples 1 and 2 in Applicants' specification illustrates this advantage of the claimed invention. Specifically, the films used in Examples 1 and 2 have smaller liner expansion coefficients and are more difficult to peel off from copper foil, as compared to the film used in Comparative Example 1, which is outside the scope of the claimed invention in terms of not having a

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structural unit of Applicants' formula (III). Therefore, the present invention is unexpectedly superior as compared with the invention disclosed in Okamoto.

Additionally, Okamoto does not teach or suggest the combination of structural units of Applicants' formulas (I) and (III) or the unexpectedly superior results thereof. Accordingly, Applicants submit that claims 1-14 would not be obvious over claims 1-4 and 7 of Okamoto.

In view of the foregoing, Applicants respectfully request that the Examiner reconsider and withdraw the rejection.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

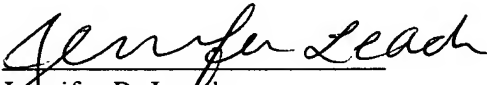
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